

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 7 is adopted. Section 8, delegate Moore?

MR. B. MOORE: I move that Section 8, entitled "Compensation of Members," be adopted.

MS. JONES: Where do I find that?

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

MS. JONES: Where do I find that? Where do I find that?

MR. KAMENY: Find what?

MS. GRAHAM: What are you looking for?

MS. JONES: I'm looking for, in the original article, where I find Section 8.

MS. GRAHAM: What does it talk about?

MS. JONES: Compensation of members.

PRESIDENT CASSELL: She's looking for the original reference.

MR. KAMENY: Section 9 of the old one.

02  
MS. GRAHAM: Look at the old one.

PRESIDENT CASSELL: Okay. Further discussion on  
Section 8? Further discussion on Section 8?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by  
saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 8 is adopted.

MR. B. MOORE: I move that Section 9, entitled  
"Sessions," be adopted.

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 9, entitled "Sessions," be adopted. Discussion?

MS. JONES: Where do I find it? I don't know why I  
have to do this.

PRESIDENT CASSELL: All right. Discussion on Section  
9?

(Pause.)



PRESIDENT CASSELL: Are we on Section 9, or did we pass that?

MR. B. MOORE: No. It has to be voted on.

PRESIDENT CASSELL: Okay. Discussion on Section 9?  
(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 9 on sessions, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?  
(No response.)

PRESIDENT CASSELL: Abstain?  
(No response.)

PRESIDENT CASSELL: Section 9 is adopted. Section 10?

MR. B. MOORE: I move that Section 10, entitled "Organization and Procedure," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: Discussion? Discussion?  
(No response.)

PRESIDENT CASSELL: There being no discussion, those in favor of adopting Section 10, "Organization and Procedure," as written, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

04 —  
(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 10 is adopted. Section 11?

MR. B. MOORE: I move that Section 11, entitled "Legislative Immunity," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 11 on legislative immunity be adopted. Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 11 is adopted.

MR. B. MOORE: I move that Section 12, entitled "Transaction of Business," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 12, "Transaction of Business," be adopted. Discussion?

MR. LONG: Yes.

PRESIDENT CASSELL: Gerry Warren, Theresa Jones.

MS. JONES: It was my impression that there was a minority report, and part of --

PRESIDENT CASSELL: I called on Gerry Warren. Do you pass to Jones?

MS. WARREN: Yes.

MS. JONES: We have an agreement. It was my impression that part of this was deleted in the vote for the minority report, and we have been trying to find the transcript which we were advised the committee had. We have not been able to find the transcript, and we will not be able to determine whether or not "Transaction of Business" is correct.

PRESIDENT CASSELL: Are you referring to Section 12?

MS. JONES: I'm referring to Section 12.

MR. LOVE: Mr. Chair?

MS. JONES: I'd like to ask the chairman if we could pass this section until the transcript comes so that we will have an opportunity to look at that and then come back.

PRESIDENT CASSELL: Response from the committee? Moore?

MR. B. MOORE: Well, I have three sections in front of me, but I'm not sure which one of them is the specific amendment. Maybe Bob can answer that.

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MR. LOVE: On the evening that we discussed this, delegate Jones, on page 6, line 4, the original language was, "Each journal shall be available from day to day, but shall also be promptly published." You changed "from day to day" to "the public," and I think that was the only change that you made.

MS. JONES: No.

MR. LOVE: You had several amendments in your minority report, but you only moved one of them, and that was the one that you moved, "to the public," and that was adopted.

MS. JONES: My request is still the same, Mr. Chairman.

MR. B. MOORE: I also have down below that -- I think there was an amendment to the idea of an electronically recorded record. You changed it to "transcription." Does that help at all? "Proceedings and the reports of standing committees shall be made," and what was inserted was "shall be published and made available to the public on request." Does that sound familiar?

MS. WARREN: Which is the correct copy?

MR. B. MOORE: Pardon me?

MS. WARREN: It is not recorded on either copy that I have.

07 —  
PRESIDENT CASSELL: Let us pass on until the transcript comes and we can have some rapid resolution of that. We'll move on from 12 to 13.

MR. B. MOORE: I move that Section 13, entitled "Committees," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 13, entitled "Committees," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 13 is adopted. Mr. Secretary, did you say you have the transcripts that they want?

MR. COOPER: No, but I have that language.

MS. GRAHAM: I have given them transcripts, Mr. President.

PRESIDENT CASSELL: All right. We'll come back to it when they are ready. Delegate Moore?

MR. B. MOORE: Yes. I move that Section 14, entitled "Subjects and Titles," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 14, entitled "Subjects and Titles," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being none, those in favor of adopting Section 14, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 14 is adopted. Delegate Jones, did you have an amendment that you had not the opportunity to mention?

(No response.)

PRESIDENT CASSELL: Delegate Moore?

MS. WARREN: Point of information.

PRESIDENT CASSELL: Yes, point of information?

MS. WARREN: If, in fact, Mr. Chair, we don't find that, would I be in order to make an amendment on Section 12?

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PRESIDENT CASSELL: We passed 12.

MS. WARREN: I mean when we come back.

PRESIDENT CASSELL: Yes. We haven't taken action on 12.

MS. WARREN: All right.

PRESIDENT CASSELL: Delegate Jones, did you have some question about Section 14?

MS. JONES: No. I think that they moved it to Section 15.

PRESIDENT CASSELL: Further discussion on Section 14?  
(No response.)

PRESIDENT CASSELL: There being no further discussion, those in favor of adopting Section 14, as written, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 14 is adopted. Delegate Moore?

MR. B. MOORE: Section 15, entitled "Passage of Bills" -- I move that it be adopted.

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 15 be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 15 is adopted. Section 16?

MR. B. MOORE: I move that Section 16, entitled "Approval or Veto," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 16, "Approval or Veto," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those in favor of Section 16, indicate by saying aye.

(A chorus of "ayes.")



PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Those abstaining?

(No response.)

PRESIDENT CASSELL: Section 16 is adopted. Section 17?

MR. B. MOORE: I move that Section 17, entitled "Legislative Action Upon Veto," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 17, "Legislative Action Upon Veto," be adopted. Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 17 is adopted.

MR. B. MOORE: I move that Section 18, entitled "Effective Date of Laws," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 18 be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

MS. JONES: Mr. Chairman, this is going too fast for me. You're on Section 18. Where do I find the section "Date of Laws" in the original --

MR. LOVE: You'll find that in a whole new section under --

MS. JONES: So, this is a new section?

MR. LOVE: No. It was taken from Referendum. As you remember, in Referendum there was a section that said that you had to wait 90 days before you passed laws unless they were declared emergency laws. So, because that had something to do with the action of the legislature, we moved it out of the referendum section and here into the legislative section.

MS. JONES: Was that agreed upon by the other committee?

MS. GRAHAM: Yes. I'm on the Suffrage Committee and

we talked --

MS. JONES: I am on there too, Chestie, and I have not heard anything about it.

MS. GRAHAM: We talked to the chairperson, delegate Johnson, and she agreed to it.

MR. KAMENY: The committee agreed that Style and Drafting had the authority.

MS. JONES: No, you don't.

MR. KAMENY: Yes.

MS. JONES: No, you don't. This has been cut up too bad and I can't follow it, and I don't believe you all are correct. I do not believe you all to be correct.

PRESIDENT CASSELL: Further discussion on Section 18? Delegate Coates, Section 18?

MR. COATES: No.

PRESIDENT CASSELL: All right. Those in favor of adopting Section 18, as written, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 18 is adopted. Delegate

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Moore?

MR. B. MOORE: I move that Section 19, entitled "Auditor," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 19, entitled "Auditor," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 19 --

MR. B. MOORE: Mr. President, in the original version it was listed under Section 19, entitled "Post Audit." So, we changed it to "Auditor."

MS. JONES: So, this is a new section?

MR. B. MOORE: It's the same section, but we just felt that the title was a more visible word or more explicit explanation of what was contained in the subject of the --

MS. JONES: So, this is a new section?

MR. B. MOORE: No, it's the same section. It's just that we --

PRESIDENT CASSELL: You mean it has a new number?

MR. B. MOORE: Nineteen.

MR. MASON: Same number.

MR. B. MOORE: Same number, and we changed it from

15 —  
"Post Audit" to "Auditor" --

MS. JONES: Yes.

PRESIDENT CASSELL: Oh.

MR. B. MOORE: -- based on the content of the paragraph and the styling.

MS. JONES: So it's a new section.

MS. GRAHAM: We felt, Mr. President, that we should not use "Post Audit," but "Auditor" in our constitution. If you wish us to put any information back, may I say that we have no problems.

PRESIDENT CASSELL: Delegate Jones, are you objecting to the fact that it was changed or to the consequences of the change?

MS. JONES: To me, these are new articles.

MS. GRAHAM: No. The words are still there.

PRESIDENT CASSELL: The claim is that it's the title that has been changed.

MR. B. MOORE: It's not the substance.

MR. KAMENY: The titles carry no legal weight.

MS. JONES: It's a new article.

PRESIDENT CASSELL: The committee has indicated that they have no problem with retaining it. If there's an insistence that "Post Audit" be retained, there's no problem.

MS. GRAHAM: Mr. President, may I say something first?

PRESIDENT CASSELL: Yes.

MS. GRAHAM: May I say this? Before we made any change whatsoever, we talked with several people about it and they said they had never heard or seen statements written as "Post Audit." So, we thought since that had not been used, we would not use that for the first time ourselves, and that's why we dropped it. If this convention wants to use it, then we have to go along with it.

PRESIDENT CASSELL: The Chair would like to make a suggestion. The section reads, "The Legislature shall appoint an auditor to serve for six years or until a successor has been appointed. By two-thirds vote of all Legislators, the Legislature at any time may remove the auditor from office for cause. Each year the auditor shall conduct a thorough audit of all State government accounts and operations and shall submit these audit reports to the Governor and to the Legislature. The Legislature shall make such reports available to the public."

This indicates that there shall be an auditor, and it indicates what his or her responsibilities shall be. It seems to the Chair that the term "Auditor" would be reasonable

and that it would not violate the intent or description of what takes place in the article itself. May we proceed?

The item on the floor is Section 19, entitled "Auditor." Further discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of Section 19, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Delegate Moore?

MR. B. MOORE: I move that Section 20, entitled "Impeachment," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 20, entitled "Impeachment," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those in --

MS. JONES: Mr. President?

PRESIDENT CASSELL: You just made it; you just made

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it.

MS. JONES: I'd like for Style and Drafting to tell me -- "Concurrence of two-thirds of the members of the Senate is required for conviction." Style and Drafting has, "Conviction requires the affirmative vote of two-thirds of all the Legislature." Now, what's the difference? What's the difference?

MR. KAMENY: In that case, why raise the question?

MS. JONES: Because I think that Style and Drafting has cut up the legislative article to the point that I don't understand it, and these are new articles to me, delegate Kameny. That's why I raise the question. Does that answer your question?

MS. GRAHAM: Delegate Schrag, would you answer that, please?

MS. JONES: Oh, I see. Let me shut up. I'm not asking any more questions, because I specifically asked delegate Schrag --

PRESIDENT CASSELL: All right. We're going to get the answer to your question.

MS. JONES: A point of personal privilege.

PRESIDENT CASSELL: You have the right to ask a question and a right to get an answer, right? Delegate Schrag



is going to give you an answer.

MS. JONES: Mr. President, a point of personal privilege.

PRESIDENT CASSELL: Yes, ma'am.

MS. JONES: I went to delegate Schrag and I asked delegate Schrag, I said, "Does this mean that you will get a second crack at the legislature?" He told me that he would not work on this. He had specifically asked that he not work on any articles he had worked on in committee. He had strong, strong objections to some of the things that the committee did, and he spoke about his strong feelings in some of the votes he didn't win.

Some of the stuff has been changed back to what delegate Schrag wanted, and I rise on a point of personal privilege.

MS. GRAHAM: No.

MS. JONES: I rise on a point of personal privilege to complain about this, because I happen to be the kind of person that will go to you and say what I think, and when he answered me, I took that in good faith. This, to me, means that -- I mean, to me; it doesn't have to mean it to anybody else -- but, to me, I think that the legislative article has been so changed until I no longer understand it.

MR. SCHIRAG: Point of personal privilege.

PRESIDENT CASSELL: If the question is to remedy some changes, you know, which make it unrecognizable, I guess you would have to be more specific --

MS. JONES: It is unrecognizable.

PRESIDENT CASSELL: -- and read certain lines that don't seem to be reflected in the revision. Delegate Jones, would you like to do that, or would you like to have a response to your general question?

MS. JONES: I'd like to have a response to my question.

PRESIDENT CASSELL: Delegate Love?

MR. LOVE: I have several answers. The first is that both delegate Feeley and I were on the Legislative Committee as well, and we lost a lot of votes. Mr. Schrag won more votes than we did, and I think both Jeanette and I agree that we have not made substantive changes.

Also, the way we did this was we had initial drafts done by a subcommittee, and the subcommittee that did this was not composed of anybody that was on the committee at all. It was Brian Moore and Gloria Corn, and there was nobody who made an initial addition to this who was even on the committee at all. So, it has been done in a very unbiased way, and I think

if delegate Jones has a chance to go through it, she'll find that we really have not made any substantive changes, which is our charge.

PRESIDENT CASSELL: Delegate Mason from the committee?

MS. MASON: Mr. President and members of the delegation, I also served on the Legislative Branch Committee and I serve, of course, on this committee. I was as careful as you are, delegate Jones, to make sure that we did not change the intent of the vote of the delegation.

I guess there's a question to be answered: whether or not we have actually changed the intent or whether there is just a style and drafting issue here. If it is style and drafting, then do you not want us to style and draft? I think that is the issue. I don't see any change in the intent or in the substance of that section there.

PRESIDENT CASSELL: Well, if such is discovered, please raise that. In the meantime, I'd like to move on. Section 20 on impeachment is on the floor. Is that correct, delegate Moore?

MR. B. MOORE: That's correct.

PRESIDENT CASSELL: Okay.

MR. B. MOORE: Could I give her a few more comments

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--  
since I was on the subcommittee that made the --

PRESIDENT CASSELL: Yes. Please be brief.

MR. B. MOORE: Yes. Delegate Jones, two changes that we made were, number one, we interjected the word "affirmative" vote because it was unclear whether the two-thirds vote would be negative or positive.

Secondly, when it said "two-thirds vote of its members," it didn't imply whether it would be members in the rotunda at the time or the total number of legislators, so we inserted the word "all" only to clarify what we thought was the intention of the maker of the motion or the maker of the amendment.

PRESIDENT CASSELL: Are we ready to vote now? On Section 20, are we ready to vote?

MR. COOPER: Yes.

PRESIDENT CASSELL: Those in favor of adopting Section 20, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Those abstaining?

(No response.)

PRESIDENT CASSELL: Section 20 is adopted. Delegate

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Moore?

MR. B. MOORE: Yes. I move Section 21, entitled  
"Code of Ethics."

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 21, "Code of Ethics," be adopted. Discussion.

(No response.)

PRESIDENT CASSELL: There being no discussion, those  
in favor of Section 21, as written, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 21 is adopted. Delegate  
Moore?

MR. B. MOORE: Do you want to return now to the --

MR. COOPER: Twelve.

PRESIDENT CASSELL: Are we ready to return to 12  
now?

MR. B. MOORE: Yes. We have completed the total  
number of sections to the article.

MS. WARREN: Mr. Chair?

PRESIDENT CASSELL: Delegate Warren?

MS. WARREN: After a discussion with some of the members of the committee --

MR. BRUNING: We can't hear.

PRESIDENT CASSELL: Take the microphone, please.

MS. WARREN: Mr. Chair, after a discussion with some of the people on the committee, I will not make an amendment. I discovered some things that I was not aware of that are happening with the City Council now, and the wording that we adopted in the committee will take care of that. So, I will not make that amendment.

However, I would like to ask the Style and Drafting Committee -- I have two reports and the latter report seems to be a bit more inaccurate than the report that I understand was done on the 19th. On line 7 of Section 12 --

PRESIDENT CASSELL: Which one, the original or the current one?

MS. WARREN: This is the current one.

PRESIDENT CASSELL: Okay.

MS. WARREN: On line 7, and this is just for better diction, "Each journal shall be available daily to the public, but shall also be promptly published."

MR. B. MOORE: What section is that?

MS. WARREN: Section 12, lines 7 and 8. Now, the one that was approved on the 19th reads --

PRESIDENT CASSELL: That's on line 11, right?

MS. MASON: Eight.

MS. WARREN: Seven and eight.

MR. COOPER: Page 6 of 11.

MS. WARREN: Right.

PRESIDENT CASSELL: Now, what is this, the original one?

MS. WARREN: No, no, no.

MS. GRAHAM: We have working copies, Mr. President, and we have no objection to anybody having the working copies that we have.

PRESIDENT CASSELL: I'm trying to see what I've got. I've got today's.

MS. GRAHAM: You have today's, but you don't have a working copy.

PRESIDENT CASSELL: Then I've got the original one, which was page 5 of 10.

MS. GRAHAM: Yes.

PRESIDENT CASSELL: Apparently, that's not your working copy.

MS. GRAHAM: You don't have the working copy.

MR. B. MOORE: No.

PRESIDENT CASSELL: All right.

MS. WARREN: That's the working copy. Line 10 says, "The journal shall be available to the public and shall be promptly published." I would request that we use that wording instead of the current wording.

MR. MASON: "And" instead of "but."

MS. MASON: "And" instead of "but."

MS. WARREN: No, no, no.

MS. FEELEY: I'm responsible for that "but," so I'll explain it.

PRESIDENT CASSELL: Chestie, mine is May 23rd.

MS. GRAHAM: That is the one that we're working from tonight. We had some original working copies, where they come from the floor and we work with them.

PRESIDENT CASSELL: Yes.

MS. GRAHAM: Then we shake them through the word processor, then they come back to us and we try to edit that, and then go back to the convention. Some people get those in between --

PRESIDENT CASSELL: Well, what does everybody have?

MS. GRAHAM: You have the one that we are working



from.

MR. B. MOORE: The 23rd.

MS. GRAHAM: That's right.

PRESIDENT CASSELL: Everybody has what I have, the 23rd?

MS. GRAHAM: That's right. They have what you have.

MR. B. MOORE: But she has pulled out maybe the 18th or 19th.

MS. GRAHAM: You see, I have some previous copies too, but I'm working with the same one you have tonight because this is the one we're presenting on the floor.

PRESIDENT CASSELL: I think we're getting to a point where we're kind of marking time now.

MS. WARREN: I'm getting clarification on that.

PRESIDENT CASSELL: Yes.

MS. WARREN: Can I just deal with Style and Drafting? It's just a matter of diction.

PRESIDENT CASSELL: All right. You want some modifications of the May 23rd article that we're all reading from tonight?

MS. GRAHAM: That's the one you want modification of?

MS. WARREN: Yes. Delegate Feeley explained that to me in terms of "each journal shall be available daily."

MS. GRAHAM: Does that satisfy you?

MS. WARREN: No.

MS. FEELEY: You don't want "daily" in there?

MS. WARREN: Right.

MS. GRAHAM: You don't want "day to day?"

MS. JONES: We do want it in there.

PRESIDENT CASSELL: I sense that we're still not ready to come back to Section 12. If we can't resolve this in 30 seconds, maybe we ought to go on to the next article.

MS. WARREN: We can resolve it.

PRESIDENT CASSELL: All right.

MS. FEELEY: Delegates, what has happened is that the interpretation that was given was that if the legislature takes an action on the floor or in committee and a resident wants to find out at the end of the day exactly what took place, then the resident has the right to go to the legislature and ask for a xeroxed copy of whatever action was taken.

But if you want the entire journal published, it can't be published on a day-to-day basis because it has to go out to the printer, et cetera, et cetera, and that's how it was discussed. If you want "daily" taken out, that's no problem; we can take it out.

MS. JONES: That was discussed during the debate and

then it was placed back in.

MS. FEELEY: I think that's probably an inadvertent error.

PRESIDENT CASSELL: The 30 seconds is up now. What are we going to do about that, committee?

MS. FEELEY: We're going to strike "daily."

PRESIDENT CASSELL: What line?

MS. FEELEY: Line 7, page 6.

PRESIDENT CASSELL: Line 7, page 6, strike what?

MS. FEELEY: "Daily."

MS. WARREN: "Daily."

PRESIDENT CASSELL: Okay. Further discussion on Section 12?

MR. LONG: Yes.

PRESIDENT CASSELL: Long?

MR. LONG: I have another problem, and this is on line 21. The Style and Drafting copy reads, "available to the public on request." My records show that the wording was "available for public inspection on request." The reason for the difference is that public inspection of an electronically-recorded transcript is just that -- hearing something at the legislature.

"Available to the public" sounds like copies have to

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be available for purchase or on demand to take away from the legislature, and the problem of expense, I think, is important.

PRESIDENT CASSELL: Hold it just a minute.

(Pause.)

PRESIDENT CASSELL: The reporter who was on duty on that occasion remembers clearly the wording, and the wording that she says can be determined by an examination of the transcript is that a written transcription shall be available to the public.

MR. LONG: Period.

PRESIDENT CASSELL: So, the way it reads now is that a record -- well, let's read it. "A verbatim or electronically produced record of proceedings of the Legislature and of standing committees shall be made available to the public on request." It says "verbatim or electronically produced." Would that be a substantial departure, or is that consistent with the wording as indicated by the recorder? It would seem to me that it is. If you want to change it, it's simply a matter of changing the wording or making the wording conform precisely to that which the recorder remembers is in the transcript.

Delegate Long?

MR. LONG: I'm recommending that we say "for public

131 — inspection" rather than "available to the public."

PRESIDENT CASSELL: It appears that that is contrary and would be a substantive change.

MR. LONG: Yes, that's correct.

PRESIDENT CASSELL: Committee?

(No response.)

PRESIDENT CASSELL: The Chair would rule that if indeed there is no challenge to the record as indicated by the court reporter, either this wording here or the specific wording that was included would be appropriate, and no other wording would be appropriate without -- in fact, no other wording would be appropriate according to our rules for second reading.

MR. KAMENY: Mr. President, please rule and let us move.

PRESIDENT CASSELL: The Chair said he would rule.

MR. KAMENY: Do rule, then.

PRESIDENT CASSELL: The Chair says he does rule, sir.

MR. KAMENY: Thank you.

PRESIDENT CASSELL: Thank you. Further discussion?

MR. T. MOORE: Point or order.

PRESIDENT CASSELL: Point of order?

MR. T. MOORE: I think the question we ought to

address is how much --

PRESIDENT CASSELL: Delegates, I can't hear from the back of the room.

MR. T. MOORE: The question is how much latitude or how much flexibility we're going to give to Style and Drafting, because if there aren't any substantive changes, I don't see why we shouldn't be able to accept --

PRESIDENT CASSELL: The Chair has ruled on that.

MR. T. MOORE: We have got to move, sir.

PRESIDENT CASSELL: This would not substantively change the meaning of the original wording.

Further discussion on Section 12?

(No response.)

PRESIDENT CASSELL: There being none, those in favor of adopting Section 12, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 12 is adopted. Is that everything for this article now, Mr. Secretary?

MR. COOPER: We have to adopt the article.

PRESIDENT CASSELL: Okay. Delegate Moore?

MR. B. MOORE: I move that the entire Article II, entitled "Legislature," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that the entire article on legislature be adopted. Discussion?

MR. COATES: Discussion.

PRESIDENT CASSELL: Coates?

MR. COATES: I don't have, sir, the transcript of our action; that is, the action on the Committee on Finance and Tax. That has not been produced for us. I do have, however, the transcript on the questions and answers on the article; that is, the article on finance and tax.

The discussion regarding the auditor's report emphasizes, in response to a question of Vice President Baldwin, that the legislative article accommodated an auditor's report. The transcript reflects the concern of the Committee on Finance and Tax that the auditor's report would not only be made available to the public, but summaries would be distributed to the public.

As reported to us on second reading by the Committee on Style and Drafting, it does not incorporate that provision.

PRESIDENT CASSELL: Delegate Moore?

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MR. B. MOORE: That is Section 19 you are addressing?

MR. COATES: That's correct, sir.

MR. B. MOORE: Okay. You were referring to what line again, please?

MR. COATES: I'm referring to, on page 10, lines 5 and 6, "The Legislature shall make such reports available to the public."

MR. B. MOORE: And your point is?

MR. COATES: That it should also include distribution.

PRESIDENT CASSELL: Let me understand you correctly. You're saying that the transcript shows that the discussion indicated that that was the intent?

MR. COATES: That's correct.

PRESIDENT CASSELL: Does this depart from the article that we actually adopted on first reading?

MR. COATES: Yes, it does.

PRESIDENT CASSELL: So, there's an omission here?

MR. COATES: That's right, and that is not only --

PRESIDENT CASSELL: What are the words that are omitted?

MR. COATES: The sense of the provision was that the reports should be made available and that summaries would be distributed to the public. The entire auditor's report would



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be available.

PRESIDENT CASSELL: Okay. Committee?

MS. FEELEY: If the record in the transcript indicates those words, there's no problem with putting those words in. Would you just share that with us? All we have to say is, "The Legislature shall make available and distribute such reports to the public." That would take care of your concern.

MR. COATES: That is correct.

MS. FEELEY: All right.

MR. COATES: I have only a transcript of our questions and answers. I do not have the transcript of our action on that.

MR. SCHRAG: Point of order.

PRESIDENT CASSELL: Just a minute. Can you read it? Is that just one or two lines or sentences?

MR. COATES: Yes, sir. Mr. Coates speaking: "As I understand it, that is parallel to the legislative report, Section 18." Mr. Baldwin: "Yes, it was." Mr. Coates: "The committee would only be concerned that we provide for what, in the committee's view, is critical -- making public and distributing to the public."

PRESIDENT CASSELL: Okay. All we need now is to see

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the actual first reading to see that what you wanted was actually reflected in the section as it came out. I guess we can't deal with that until we have it.

Well, delegate Coates, I have what you don't have. This is page 6 of 10, and I'll just see what the title of this is. The title of this is "Transaction of Business." "A verbatim or electronically produced record of proceedings of the Legislature and of standing committees shall be made available to the public on request," which was seen not to be included, committee, on line 5 on page 10 of 11.

MS. FEELEY: Point of clarification, Mr. President. I think you're looking at the wrong document. I need further to say to Mr. --

MR. SCHRAG: I have a point of order, Mr. President.

MS. FEELEY: Mr. President, this is a point of order.

PRESIDENT CASSELL: I'm sorry. One at a time now, one at a time.

MS. FEELEY: This is a point of order.

PRESIDENT CASSELL: Delegate Feeley?

MS. FEELEY: Yes, sir, thank you. If in the record, delegate Coates, there can be found language that indicates an amendment on the floor of the convention approved by the body, then that language should be here. If, though, the

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record only shows that there was discussion of a question-and-answer nature, than that becomes a legislative report rather than language for the constitution.

MR. T. MOORE: Point of order, Mr. President.

PRESIDENT CASSELL: I think I can clear up what your point of order is. What we're trying to do is to find out what the actual reading was of the first reading, and I have now been passed the correct information, which I shall read to you, delegate Coates, and fellow delegates, from the first reading.

"Each year, the auditor shall conduct a thorough audit of all State government accounts and operations, and shall submit these audit reports to the Governor and to the Legislature. The Legislature shall make such reports available to the public." That seems to be consistent with what we have on the second reading.

Does somebody certify that what I just read is a true copy of the first reading? Delegate Mason handed it to me. Is that fact?

MR. T. MOORE: That's my understanding.

PRESIDENT CASSELL: Let me hand it back to you. Delegate Coates, it would then seem that your expression of intent was not reflected in the vote on that occasion.

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MR. COATES: You read, sir, an accurate record of the action on the legislature's article. My question is about action on the Committee on Finance article, which also had a section on audit. The section of the Committee on Finance and Tax audit provided not only that the report would be available, but that it would be distributed.

PRESIDENT CASSELL: Why don't we have a copy of that?

MR. COATES: I do not have a transcript, sir, of our action. My understanding is that the transcript is not available to us.

PRESIDENT CASSELL: All we need is a copy of the first reading, you know, and then we could compare that with this. I think what you are saying is this does not conform to that. Where is the first reading?

MR. B. MOORE: Mr. President, may I comment on this?

PRESIDENT CASSELL: Yes, while we're looking.

MR. B. MOORE: We certainly tried to take into mind all the comments made by the different delegates. But the substance of amendments and the intention of the committee in each of these sections of an article were very important to our styling changes.

So, I think the latter part of this sentence, which says, "The Legislature shall make such reports available to

the public," does not negate the idea that it would be distributed on a daily basis or on a weekly basis, or whatever. It's all-encompassing. It was a judgment call on the part of the committee, and we didn't, I feel, negate any amendment or any substantial suggestion by delegates themselves.

MS. JONES: The transcript --

MR. B. MOORE: Well, even if they are in the transcripts, if it's not an amendment --

MS. GRAHAM: That's right.

PRESIDENT CASSELL: Delegates, I think at long last we have the answer. We have the Finance and Taxation first reading. There is a section on legislative post-audits, and as it read it said -- this is line 10 -- "The auditor's report shall be made available and the summaries distributed to the public." Is that what you are remembering?

MR. COATES: That's correct, sir.

PRESIDENT CASSELL: All right. The secretary indicates that that section was deleted.

MR. COATES: It was deleted on the condition that it would be reflected in the Style and Drafting second reading report of the legislative article, incorporating the section on audit.

PRESIDENT CASSELL: All right. Delegate Coates is

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trying desperately now to make his point. He accepted the deletion on condition that it would be reflected in this.

MR. COATES: That was our action to delete, and that was a condition incorporated in that action.

PRESIDENT CASSELL: It appears to me that delegate Coates has made his point, and that is that "The Legislature shall make such reports available to the public" is not sufficient and there should be a statement there that it should be distributed to the public.

MR. COATES: Thank you, sir.

PRESIDENT CASSELL: Would somebody give me some appropriate language?

MR. T. MOORE: Point of order, Mr. Chairman.

PRESIDENT CASSELL: Point of order. State your point.

MR. T. MOORE: Mr. President, we had considerable discussion in our committee on that, and the reason we came up with the recommendation that we did was the cost. If the government decided they were going to distribute all this literature to everybody, we would go broke tomorrow. That's the one reason why we did not include that statement.

PRESIDENT CASSELL: Which are you reading from?

MR. T. MOORE: I'm talking about the Legislature. I

vr 1 —  
was a member of the Legislative Branch Committee. I oppose this at this time.

PRESIDENT CASSELL: I wouldn't argue with that. That might be why you didn't include it, but Coates is indicating that he allowed it to be deleted on the condition that it would be included in the legislative report, which is what we're dealing with now, and I think he has made his point.

Yes, Ms. Feeley?

MS. FEELEY: Mr. President, it seems to me that the language that I offered about 25 minutes ago would still be appropriate to clear up the matter.

PRESIDENT CASSELL: Hit me with it.

MS. FEELEY: All we have to say is, "The Legislature shall make available and distribute such reports to the public." Now, that can be interpreted to mean that when we want to know who all the registered voters are in our ward, we go to the nearest public library and get that information. It means that these audit reports will also be available there, and there will only need to be however many copies we have now of the registered voters available.

PRESIDENT CASSELL: Can we accept that by common consent?

MS. GRAHAM: Yes.

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PRESIDENT CASSELL: That's what everybody wants.

MS. GRAHAM: Yes, Mr. President.

MR. COATES: Thank you, Mr. President.

PRESIDENT CASSELL: Okay, very good. Now, we are back to the adoption of the article in its entirety, with that change on line 5, page 10. Those in favor, now, of adopting the article on legislature with the change that we just agreed to by common consent, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The article on legislature is adopted after second reading. There must have been a faster way to do that, Jeanette.

Delegate Moore?

MS. GRAHAM: Mr. President and members of the convention, may we look at Suffrage and its portions, please, for just about two minutes?

PRESIDENT CASSELL: A two-minute recess?

MS. GRAHAM: We have the article on suffrage, and we also have Recall of State Officials. I thought we could



give us a chance just to look through them -- Constitutional Amendments and Revisions, and Apportionment. It would take us just about two minutes to look through all of them to see if there are comments or something that we need to call your attention to.

PRESIDENT CASSELL: Two minutes, without objection from the body?

MS. GRAHAM: Yes.

PRESIDENT CASSELL: How about taking five minutes and then we'll resume?

MS. GRAHAM: Thank you.

PRESIDENT CASSELL: It is now 8:15. We'll come back at 8:20 sharp.

(Whereupon, a brief recess was taken.)

PRESIDENT CASSELL: Okay, we're back in session. Delegates Graham and Brian Moore, can we do Education instead of Suffrage? Is it ready? She's going to leave and I want to catch her before she leaves.

MS. GRAHAM: Let me see if I can get it.

PRESIDENT CASSELL: We're doing Education next instead of Suffrage. Please, do not let Mildred Lockridge leave the building.

(Pause.)

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PRESIDENT CASSELL: We can begin the reading of the Education article if somebody would just get Mildred Lockridge.

MR. MASON: We don't even have copies of it. We never looked at it.

MR. COOPER: We don't have copies of Education.

(Pause.)

PRESIDENT CASSELL: Delegate Lockridge, they are getting your stuff off the machine. We stopped the whole machinery, and nothing happens until we get that on the floor because I do not want you to go home.

MS. LOCKRIDGE: I definitely want to do mine next.

PRESIDENT CASSELL: Yes, ma'am.

(Pause.)

MS. GRAHAM: Mr. President, can we do Suffrage? It's just a small thing. It's just a small thing, and then Education will be ready.

PRESIDENT CASSELL: Delegate Lockridge?

MS. LOCKRIDGE: Don't you call my name again, sir.

PRESIDENT CASSELL: May I address the chairperson of the Education Committee?

MS. LOCKRIDGE: Yes.

PRESIDENT CASSELL: There has been an appeal from the chairperson of Style and Drafting that while copies of

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your report are being copied, maybe we could deal with Suffrage.

MS. LOCKRIDGE: Certainly.

PRESIDENT CASSELL: No delay. As soon as that comes in, we'll stop wherever we are.

MS. LOCKRIDGE: All right.

PRESIDENT CASSELL: Delegate Graham?

MS. GRAHAM: Mr. President and members of the convention, may we take out the sheet on suffrage, please? Section 1, "Voting Eligibility" -- I move the adoption of "Voting Eligibility."

(The motion was duly seconded.)

PRESIDENT CASSELL: Hold on a minute.

MS. JONES: Mr. Chairman, I have a copy of what was amended, but I don't have a copy of the first reading. Can you tell me how this has been changed?

(Pause.)

MS. GRAHAM: Mr. President, I move the adoption of Section 1, "Voting Eligibility."

(The motion was duly seconded.)

MS. JONES: Madam Chair?

PRESIDENT CASSELL: Delegate Chestie Graham, what's on the floor, please?

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MS. GRAHAM: Suffrage, "Voting Eligibility," Section 1.

PRESIDENT CASSELL: It has been moved and seconded that Section 1, "Voting Eligibility," be adopted. Discussion?

MR. B. MOORE: Yes.

PRESIDENT CASSELL: Delegates Jones, Brian Moore.

MS. JONES: Can the committee explain to me how this differs from the first reading of Suffrage?

MS. GRAHAM: Mr. President, I'd like to answer that. I served on that committee and I was a member of the sub-committee on voting. I talked with the chairperson of the Suffrage Committee, delegate Johnson, and, of course, delegate Mason served on that, also. We were able to reach what we have today without any problems, we thought.

MS. JONES: That does not answer the question, Mr. President.

PRESIDENT CASSELL: Does there have to be a change?

MS. JONES: Well, it is changed from what it was. My only question is how; that's all I want to know. I'm asking an information question.

MS. GRAHAM: May I answer, Mr. President?

PRESIDENT CASSELL: Yes.

MS. GRAHAM: Sometimes, when we think that some

materials have been organized in a certain way and we feel that if we rearrange them and not lose the meaning that they would read much smoother and much better, then we make that rearrangement. We try to use punctuation marks that illustrate what has taken place, also. But we try never to lose the substance.

PRESIDENT CASSELL: Is there any challenge to the fidelity of this section as compared to the original?

MS. JONES: No, Mr. President. I'd just like my question to be answered, and Ms. Graham got defensive about my asking the question. My question is how has it been changed? What is the difference? That's all I want to know.

PRESIDENT CASSELL: Delegate Jones, I thought I heard her say that it hadn't been changed; that what they have simply done is to apply to it some editorial and some grammatical and some consistency message, you know. It might be difficult to define each change in wording.

MS. JONES: It's difficult for me to recognize it as what it was; I'll tell you that. That's why I asked the question, and if I can't get an answer, I'll just quit.

MS. GRAHAM: I'm sorry, delegate Jones. I was trying my best to --

MS. JONES: But you're not answering me.

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MS. GRAHAM: May I say, Mr. President, that we do make some stylistic changes because we have a number of things we see used in there; we change it around because we have a certain format that we're following. I think what we need to do, maybe, is to let the delegates know when we will get together as a committee again so that they can join us, and we will review what these stylistic changes are.

PRESIDENT CASSELL: Do we have time for that?

MS. GRAHAM: Well, we can let them see the sheets from which we are working.

PRESIDENT CASSELL: Okay. Further discussion on Section 1?

MR. KAMENY: I call the question.

PRESIDENT CASSELL: The question has been called.

MR. B. MOORE: Mr. President?

PRESIDENT CASSELL: Yes?

MR. B. MOORE: I'd like to offer an amendment.

MR. BRUNING: Point of order.

PRESIDENT CASSELL: State your point.

MR. BRUNING: I have a point of information, not a point of order. Let him introduce it; I'm sorry. Then I will make a motion based on what he is introducing.

MS. JONES: A point of information, Mr. Chairman --

or not a point of information, but a point of order, Mr. Chairman.

MR. KAMENY: For heaven's sake.

MS. JONES: A point of order, Mr. Chairman.

PRESIDENT CASSELL: State your point.

MS. JONES: Delegate Brian Moore cannot introduce his amendment because the chairman of the committee has not signed a waiver.

PRESIDENT CASSELL: Let me read the rules now. "Amendments can only be considered if there are inconsistencies or if the committee chair waives any objections." Has the chair of this committee been approached for that purpose?

MR. COOPER: Point of clarification. There is another instance in which the amendment can be offered, and that is if it was submitted in substance to the substantive committee before being reported out for first reading. We always leave that out when we say what is a valid amendment.

PRESIDENT CASSELL: Has that procedure been followed, delegate Moore?

MR. B. MOORE: Yes, it has.

PRESIDENT CASSELL: Some evidence?

MR. B. MOORE: Well, I offered it to the committee and it was voted down by a vote of five to three. It's in the

minutes of our meetings.

PRESIDENT CASSELL: Committee response?

MS. GRAHAM: Mr. President, we are familiar with what he's bringing forth. The thing about it is that he did not get it through in the committee and he still feels it's very important. We have no objection to his bringing it, so far as I'm concerned.

PRESIDENT CASSELL: Let me go back and remind us, first of all, that we've got a long road ahead of us, delegates, and what I read to you was what we agreed to in order to expedite our processes, and it was only that. This was not what is in our rules, but a general agreement in order to expedite and to speed up, and that is only that amendments can be considered if there are inconsistencies or if the committee chair waives any objections.

Delegate Baldwin, who acts as our parliamentarian, read that to you, and that's what we have been following. We had one departure from that for the sake of fairness; that was the reason for that. We suspended the rules in order to do that.

MR. COOPER: You didn't read that.

PRESIDENT CASSELL: We're not concerned with that. What we have here is an agreement; it's a gentlemen's agreement



vr151 — among the delegates so that we don't have to stay here until three o'clock every day. This is what Baldwin has said and this is what we've been following. Now, let's try to do that, please. I rule any amendments at this point out of order.

Delegate Graham?

MR. B. MOORE: Mr. President, I'd like to appeal your decision.

PRESIDENT CASSELL: Is there a second?

(No response.)

PRESIDENT CASSELL: It dies for the lack of a second.  
Delegate Graham?

MR. B. MOORE: Do I need a second on an appeal?

MS. JONES: Yes.

PRESIDENT CASSELL: Yes, you do. Delegate Graham?

MR. KAMENY: Delegate Graham?

MR. B. MOORE: There's no second in this body for my appeal?

PRESIDENT CASSELL: I'm sorry; there was not a second. It lost. Delegate Graham, would you please carry on?

MS. GRAHAM: Thank you.

MR. B. MOORE: Well, I think it's unfair, Mr. President, and I'd like to go on record.

PRESIDENT CASSELL: Thank you, sir. It will be so

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noted.

MS. GRAHAM: Mr. President, I move again the adoption of Section 1, "Voting Eligibility."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 1, "Voting Eligibility," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: All those in favor of Section 1, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 1 is adopted. Delegate Graham?

MS. GRAHAM: Mr. President, I move the adoption of Section 2, "Eligibility of Residents Temporarily Out of State."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 2 be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those

in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Those abstaining?

(No response.)

PRESIDENT CASSELL: Section 2 is adopted.

MS. GRAHAM: Mr. President, I move the adoption of Section 3, "Absentee Voting."

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 3, "Absentee Voting," be adopted. Discussion? Delegate Bruning?

MR. BRUNING: I pass.

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 3 is adopted. Delegate Graham?

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MS. GRAHAM: Mr. President, I move the adoption of the article on suffrage.

(The motion was duly seconded.)

MR. BRUNING: Point of information. I just wanted to see where the section on legislative residency wound up.

MS. GRAHAM: Section 3 of the Legislature.

MR. BRUNING: Thank you.

PRESIDENT CASSELL: All right. It has been moved and seconded, I believe, that the article on suffrage be adopted. Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The article on suffrage is adopted. Thank you very much. We are now going to Education.

MR. B. MOORE: Point of personal privilege, Mr. President.

PRESIDENT CASSELL: Yes, sir, state your point of personal privilege.

MR. B. MOORE: Yes. For the last several days, there have been exceptions to the rules made by the President or the

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Chair. And I think I've demonstrated to you and to this body my willingness to refrain from excessive participation or delaying tactics in this convention, and I've even withdrawn on several occasions at your request.

There have been exceptions made, and I would like to personally request that an exception be made on my part by you, and I appeal to you personally on this.

PRESIDENT CASSELL: The Chair has already ruled. The Chair would like to move on. You asked for an appeal; you did not get a second.

Delegate Graham?

MS. GRAHAM: Mr. President, I move the adoption of the article "Recall of State Officials," Section 1, "Definition."

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 1, "Definition," be adopted. Discussion?

MR. BARNES: Yes.

PRESIDENT CASSELL: Delegate Barnes?

MR. BARNES: On a point of personal privilege, I don't have a copy of the section.

PRESIDENT CASSELL: I understand that copies are being made.

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MR. T. MOORE: We have them.

PRESIDENT CASSELL: Everybody has one? Delegate Barnes, do you have one?

MR. BARNES: He said Education.

MS. GRAHAM: Recall.

MR. LOVE: Recall.

MR. BARNES: Okay.

PRESIDENT CASSELL: We are getting rid of that and then we're going to Education quickly.

MR. BARNES: Okay.

PRESIDENT CASSELL: I'm trying to expedite this because I promised delegate Lockridge that this would only take ten minutes and I think we've used six already.

MR. LOVE: It's still in the Xerox.

PRESIDENT CASSELL: No; it's coming out little by little.

"Recall of State Officials" -- now, the motion on the floor is Section 1, "Definition." Was that moved and seconded?

MS. GRAHAM: It was seconded, yes; it was seconded.

PRESIDENT CASSELL: All right. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 1 on definition, indicate by saying aye.

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(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 1 is adopted. Delegate  
Graham?

MS. GRAHAM: Mr. President, I move the adoption of  
Section 2, "The Petition Process."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 2, "The Petition Process," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of adopting  
Section 2, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The section is adopted.

MS. GRAHAM: Mr. President, I move the adoption of  
Section 3, "The Petition Statement."

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PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 3, "The Petition Statement," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, all  
those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 3 is adopted.

MS. GRAHAM: Mr. President, I move the adoption of  
Section 4, "Petition Signature Requirements."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 4 on petition signature requirements be adopted. Dis-  
cussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those  
in favor, indicate by saying aye.

(A chorus of "ayes.")



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PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 4 is adopted. Section 5?

MS. GRAHAM: Mr. President, I move the adoption of  
Section 5, "Initiation of Recall."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 5, "Initiation of Recall," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: There being no discussion, those  
in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 5 is adopted. Section 6?

MS. GRAHAM: Mr. President, I move the adoption of  
Section 6, "Time of Recall Election."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that

vr-00  
Section 6, "Time of Recall Election," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 6 is adopted.

MS. GRAHAM: Mr. President, I move the adoption of Section 7, "Votes Required for Recall."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 7, "Votes Required for Recall," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 7 is adopted. Section 8?

MS. GRAHAM: Mr. President, I move the adoption of Section 8, "Reimbursement."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 8, "Reimbursement," be adopted. Those in favor, indicate by saying aye.

(A chorus of "ayes.")

MR. COATES: Mr. President, I was waving my hand.

PRESIDENT CASSELL: Discussion, sir?

MR. COATES: Thank you, sir.

MR. LOVE: Talk fast.

MR. COATES: Is the chairperson, Sandra Johnson, present?

MS. GRAHAM: No.

MR. COATES: Well, Mr. Chairman, this is to simply record again my view that whereas the committee's report in Section 8 provides that the state would pay for the expenses of a legislator subject to recall if he wins, it is a gross injustice because it does not mean by definition of his winning that he is any more worthy of state money than a legislator who losses.

I heard no rationale in the committee to justify

vrro2 — this miscarriage and misappropriation of public monies, which could be, in the case of the governor, in excess of half a million dollars.

MS. GRAHAM: Mr. President, when we wrote this, we were thinking about not that the person --

MR. LOVE: He's not talking about us. He's talking about the committee.

PRESIDENT CASSELL: Delegate Long? Delegate Coates, your concerns shall be so noted; I think they are valid concerns.

MR. LONG: I believe the rationale of this provision is that it prevents expensive harassment of an elected official who may be subject to recall and recall, and may have to wear down his finances to answer one after another. This prevents that kind of perversion of the electoral process.

MR. COATES: The loser gets worn down, too.

PRESIDENT CASSELL: Delegate Kameny?

MR. KAMENY: I only wanted to say that this was discussed at great length on the floor during the first reading, and to my knowledge, recollection and belief, the Style and Drafting Committee has reflected what was adopted accurately as a result of that discussion.

— If delegate Coates has an amendment that is properly

presented, let him present it. Otherwise, let us move on.

PRESIDENT CASSELL: Section 8, "Reimbursement."  
Further discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by  
saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 8 is adopted. Section 9?

MS. GRAHAM: Section 9, Mr. President, "Filling a  
Recall Vacancy" -- I move the adoption.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 9, "Filling a Recall Vacancy," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by  
saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

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PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The motion carries; Section 9 is adopted. Section 10?

MS. GRAHAM: Section 10, Mr. President, "Local Government" -- I move the adoption.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 10, "Local Government," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 10 is adopted. Section 11?

MS. GRAHAM: Mr. President, I move the adoption of Section 11, "Enabling Legislation."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that

Section 11, "Enabling Legislation," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Delegate Graham?

MS. GRAHAM: Mr. President, I move the adoption of the section of the article on suffrage called "Recall of State Officials."

(The motion was duly seconded.)

PRESIDENT CASSELL: I don't have that. Recall of State Officials?

MR. MASON: The one we just finished.

MS. GRAHAM: The whole thing.

PRESIDENT CASSELL: Which one are you doing?

MS. GRAHAM: We just finished; we adopted the whole thing.

PRESIDENT CASSELL: I'm looking for the next one.

Those in favor, indicate by saying aye.

vr 6  
(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The article is carried. Delegate  
Graham?

MS. GRAHAM: Mr. President, I'd like for us to call  
our attention to "Constitutional Amendments and Revisions."  
I move the adoption of Section 1, "Introduction."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 1, "Introduction," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by  
saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 1 is adopted. Section 2?

MS. GRAHAM: Mr. President, I move the --



VI 7  
PRESIDENT CASSELL: Delegate Jones?

MS. JONES: Yes. I hate to be slow, but I guess that's how I am. This says, "Amendments to this Constitution may be proposed by the Legislature, an initiative, or a call for a constitutional convention."

MR. KAMENY: Yes.

PRESIDENT CASSELL: What's the question, delegate Jones?

MS. JONES: Can we amend the constitution by just a call for a constitutional convention?

MS. GRAHAM: It says "proposed by the Legislature, an initiative, or a call" --

MS. JONES: The amendments will be the product of the constitution. There's something wrong with that.

MS. GRAHAM: Excuse me. It says, "Amendments to this Constitution may be proposed by the Legislature, an initiative, or a call for a constitutional convention."

MS. JONES: "Or proposed by a constitutional convention."

MR. KAMENY: I would like to suggest that delegate Jones is absolutely correct. You can propose them by a constitutional convention, but not by a call for a constitutional convention. The committee has slipped.

vr 8 —  
PRESIDENT CASSELL: Can we just clean that up and move on?

MS. GRAHAM: Yes, we'll delete part of it.

PRESIDENT CASSELL: The committee is fully capable of settling that.

MS. GRAHAM: Thank you.

PRESIDENT CASSELL: Delegate Graham?

MS. GRAHAM: I move the adoption, Mr. President, with the deletion of "a call for."

MS. JONES: No; "a call for." It should say "or a constitutional convention."

MS. GRAHAM: "Or a constitutional convention," okay.

PRESIDENT CASSELL: What is it now; with the deletion of which words?

MS. GRAHAM: "A call for."

PRESIDENT CASSELL: "A call for." Those in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 1 is adopted. Section 2?

MS. GRAHAM: I move the adoption of Section 2, "The Legislature."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 2, "The Legislature," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 2 is adopted. Section 3?

MS. GRAHAM: Mr. President, I move the adoption of Section 3, "The Initiative."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 3, "The Initiative," be adopted. Discussion? Delegate Jones?

MS. JONES: I still keep apologizing for being slow, but this is going very fast. There was something that came out of the committee that talked about what would happen if an

amendment failed, and we were told by the experts --

MR. LOVE: Section 6.

MS. JONES: It was moved to Section 6?

MR. LOVE: Try Section 6. I'll just read it right now.

MS. JONES: No, you don't have to read it right now. Okay, Section 6, Bob Love; I will so note.

PRESIDENT CASSELL: Mildred, is your stuff coming through?

MS. LOCKRIDGE: I have no idea.

MS. GRAHAM: Will you check on Education, please?

PRESIDENT CASSELL: Would somebody from the committee see if you can get the Education material out of the machine? Bring everything that you've got.

Proceed. What is the question now?

MS. GRAHAM: Delegate Jones?

MS. JONES: He told me where to look for it. That's all I wanted to know.

PRESIDENT CASSELL: Okay. Further discussion on Section 3, "The Initiative?"

(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 3, "The Initiative," indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 3 is adopted. Section 4?

MS. GRAHAM: I move the adoption of Section 4, "The Constitutional Convention."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 4, "The Constitutional Convention," be adopted. Discussion?

MR. LONG: Discussion.

PRESIDENT CASSELL: Long?

MR. LONG: Section (B), "Decennial Review," still has the word, on line 23, "adoption." There was a fair amount of discussion on the motion which I made as to whether this was the correct word, because we wanted to have in there the words which meant when the constitution actually went into effect. It does not go into effect at the time of adoption.

I think the phrase proposed at that time was "takes effect in law," or something like that.

MR. ROBINSON: "Enters into force."

VR 2  
MR. LONG: "Enters into force," okay.

PRESIDENT CASSELL: Does everybody agree that that was the sense of the original writing?

MS. GRAHAM: What line is that, delegate Long?

MR. LONG: That's line 23.

MS. GRAHAM: And what should it say?

MR. LONG: Replace "adoption of" -- well, let me see.

MR. KAMENY: We'll have to reword the sentence.

MR. LONG: "When this constitution enters into force" is the sense of it. Strike "of the adoption of," and it should read, "following the date when this constitution" --

MS. MAGUIRE: "Following the date this constitution enters into force."

MR. LONG: "Enters into force"; thank you.

PRESIDENT CASSELL: Can we settle that by common consent? There should be no controversy over that.

MR. KAMENY: Yes.

PRESIDENT CASSELL: Those in favor of Section 4, as changed by common consent, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

vr 3  
(No response.)

PRESIDENT CASSELL: Section 4 is adopted. Section 5?

MS. GRAHAM: Mr. President, I move the adoption of  
Section 5, "Conflicting" --

MS. JONES: Wait a minute.

PRESIDENT CASSELL: Don't stop her while she's  
moving.

MS. GRAHAM: -- "Conflicting Amendments."

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 5, "Conflicting Amendments," be adopted. Discussion?  
Jones?

MS. JONES: I pass.

PRESIDENT CASSELL: All right. Those in favor,  
indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 5 is adopted. Section 6?

MS. GRAHAM: Mr. President, I move the adoption of

4  
Section 6, "Disapproval of Amendments."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that  
Section 6, "Disapproval of Amendments," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by  
saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 6 is adopted. Section 7?

MS. GRAHAM: Mr. President, I move the adoption of  
Section 7, "Enabling Legislation."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that,  
Section 7, "Enabling Legislation," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by  
saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?



VR 5  
(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: It is adopted. Ms. Graham?

MS. GRAHAM: Mr. President, I move the adoption of this section of Suffrage, "Constitutional Amendments and Revisions."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that the "Constitutional Amendments and Revisions" subsection be adopted. Those in favor, signify by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The subsection "Constitutional Amendments and Revisions" is adopted.

Can we have the Education material?

MR. LOVE: Mr. Chair?

PRESIDENT CASSELL: Question?

MR. LOVE: The xerox machine is resting from heat prostration. Education is being run off a page at a time on

VI 6  
the word processor, but we're about halfway through now.

MS. GRAHAM: We could go on with Apportionment.

PRESIDENT CASSELL: Let me say that the Chair promised the Education Committee that within ten minutes, we would be able to read. It is past that time. The chairperson is fatigued and has a pinched nerve.

MS. GRAHAM: How many copies do we have completed?

DR. AUSTIN: About three or four.

PRESIDENT CASSELL: Could you bring us those three of four, please?

DR. AUSTIN: Sure.

PRESIDENT CASSELL: Thank you.

Quickly, the last item.

MS. GRAHAM: We have Apportionment.

PRESIDENT CASSELL: By the time we finish this, we should be able to start immediately with Education.

MS. GRAHAM: Mr. President, I move that the part of the article on suffrage, "Apportionment," Section 1, "Reapportionment of Legislative Districts," be adopted.

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 1, "Reapportionment of Legislative Districts," be adopted. Discussion?

VI 7

(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 1 -- Jones?

MS. JONES: There is some place where we talk about election districts not of substantially equal population. There is a decided amount --

MR. JORDAN: Within three percent.

MS. JONES: That's right. When you say "substantially equal," that's like water taking the shape of the container. We fought long and hard to have the exact percentages put into the section.

MS. GRAHAM: We do have it.

MR. LOVE: Section 2, line 4, delegate Jones.

MS. GRAHAM: We do have it, Ms. Jones.

MS. JONES: It's not in Section 1.

MR. LOVE: We put it in 2.

MS. GRAHAM: Mr. President, may I say there were times --

PRESIDENT CASSELL: Please, please, one at a time speaking to the Chair.

MS. GRAHAM: There were times that we felt we should rearrange some things that would be in this article, and we felt free to do so, and that's what we did.

vi 8 —  
PRESIDENT CASSELL: Okay. Section 2 deals with apportionment standards, where Section 1 deals with reapportionment of legislative districts.

MS. GRAHAM: Yes.

PRESIDENT CASSELL: Apportionment standards should apply, certainly, to Section 1.

Further discussion on Section 1?

(No response.)

PRESIDENT CASSELL: There being no further discussion, those in favor of adopting Section 1, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

MS. CORN: Abstain.

PRESIDENT CASSELL: Section 1 is adopted. Section 2?

MS. GRAHAM: Mr. President, I move the adoption of Section 2, "Apportionment Standards."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 2, "Apportionment Standards," be adopted. Discussion?

MR. JORDAN: Yes, sir.

PRESIDENT CASSELL: Jordan?

MR. JORDAN: Stylistically, is it possible to put, after 3, a number 3 in brackets?

MS. GRAHAM: One of our styles we said we would use was that we would not use parentheses, if we could help it, nor brackets or anything like that, if we could possibly help it, nor apostrophes or possessives.

PRESIDENT CASSELL: Further discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 2 is adopted. Section 3?

MS. GRAHAM: Mr. President, I move the adoption of Section 3, "Reapportionment Commission."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 3, "Reapportionment Commission," be adopted. Discussion?

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(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 3 is adopted.

MS. GRAHAM: Mr. President, I move the adoption of this Section, "Apportionment."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that the subsection "Apportionment" be adopted. Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: The subsection "Apportionment" is adopted.

How are we looking on Education?

MS. GRAHAM: We're trying to find out now. We do have "Transition," Mr. President, but I don't want to start on it until we get the message from whether we have Education or not.

PRESIDENT CASSELL: Thank you. We'd like to start on Education. Do we have a few copies here?

MS. GRAHAM: We sent for some copies. Delegate Kameny, could you see that we get three or four copies of Education so we can move on, please?

MR. KAMENY: Where do I see to that?

MS. GRAHAM: Right in the office there.

PRESIDENT CASSELL: From the xerox machine, assembled, of course.

(Pause.)

PRESIDENT CASSELL: Ladies and gentlemen, I think we've made great progress the last couple of days. I want to thank everybody for staying around until three o'clock. If you had told me beforehand that we would do that, I wouldn't believe it. But I think we got a lot accomplished, and I think we have a momentum today which is very commendable.

It appears that even with that, we need a little more time than we've scheduled for ourselves. We had originally arranged our schedule to recess tomorrow to allow

vr 2  
Style and Drafting to work on the entire ten articles. There are eight yet that need second readings. We have gotten all of our first readings out of the way.

We now feel that if Style and Drafting has all day to do their work, then we need to meet tomorrow, say, at six o'clock, and see if we can't produce enough work from Style and Drafting to prepare the third readings on Friday. So, I'm announcing now that tomorrow, we meet here at six o'clock and try to clean up all the second readings that we don't get to tonight.

Now, if, by chance, we finish all the second readings tonight, maybe that won't be necessary. In addition to that, it'll be necessary for the Style and Drafting Committee to work while we are meeting tomorrow at six o'clock. So, we then are going to have to suspend our rules to allow time for Style and Drafting, maybe a couple of hours, to do their work. I see you shaking your head, Schrag.

MR. SCHRAG: Mr. President, I feel an obligation to be on the floor. I think it's possible for Style and Drafting, by working during the day tomorrow and a day on Friday, to do its work.

PRESIDENT CASSELL: It's up to Style and Drafting. I think you should be on the floor, also.



vr 3  
How many do we have now?

MS. GRAHAM: Okay, we are ready. Here is one copy.

PRESIDENT CASSELL: Have you got one copy?

MS. FEELEY: You don't have one.

MS. GRAHAM: Here's one; come on.

Mr. President, we are ready. You have to read it to them for the first article, though, and we're going to get some copies.

PRESIDENT CASSELL: We need at least one for the secretary.

MS. GRAHAM: Let me go and get one. Let me see if I can get one.

(Pause.)

PRESIDENT CASSELL: Ladies and gentlemen, the Chair will make a decision here. We've got a machine which just doesn't function. Now, we have a process whereby we have available to us the xerox machine at the School Board and the xerox machine at the City Council. But, of course, between here and now, we just can't get over there that fast.

Therefore, in order that the Education Committee chairperson may not have to stay until we get to that, whenever that machine decides to produce, I will indicate that we will get to Education when we get to it and we'll finish.

Delegate Lockridge, I'm sorry we weren't able to produce in the time frame. So, our feelings will not be hurt if you leave. We'll just keep pushing it as hard as we can. We're going to go on with the rest. What have we got?

MS. GRAHAM: "Transition."

Mr. President and members of the convention --

PRESIDENT CASSELL: Chestie, I seem to have lost my "Transition."

MS. GRAHAM: You lost "Transition?"

PRESIDENT CASSELL: I've got it.

MS. GRAHAM: Mr. President and members of the convention, I move the adoption of Section 1, "Effective Dates," under "Transition." That is a part of Local Government.

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that Section 1, "Effective Dates," on line 1 of page 1 of 9, of the sub-article "Transition" of "Local Government," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 1, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

vr 5  
(No response.)

PRESIDENT CASSELL: Those abstaining?

(No response.)

PRESIDENT CASSELL: Section 1 is adopted. Delegate Graham?

MS. GRAHAM: I move the adoption of Section 2, "Initial Apportionment and Elections."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 2, "Initial Apportionment and Elections," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 2 is adopted. Section 3?

MS. GRAHAM: Mr. President, I move the adoption of Section 3, "Initial Terms of Office of Legislators, the Governor, and the Secretary of State," which now will be

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"Attorney General."

(The motion was duly seconded.)

MR. COOPER: No; he'd be Lieutenant Governor.

MS. GRAHAM: Lieutenant Governor; I'm sorry.

PRESIDENT CASSELL: All right. It is moved and seconded that Section 3, "Initial Terms of Office of Legislators, the Governor, and the Lieutenant Governor," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor of adopting Section 3, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 3 is adopted.

MS. GRAHAM: Mr. President, I move the adoption of Section 4, "Judiciary and Other Officers."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 4, "Judiciary and Other Offices," be adopted. Discussion?

VI 7  
(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Those opposed?

(No response.)

PRESIDENT CASSELL: Those abstaining?

(No response.)

PRESIDENT CASSELL: Section 4 is adopted.

MS. GRAHAM: Mr. President, I move the adoption of Section 5, "Existing Laws, Rights, and Proceedings."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 5, "Existing Laws, Rights, and Proceedings," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

VI 8  
PRESIDENT CASSELL: Section 5 is adopted.

MS. GRAHAM: Mr. President, I move the adoption of Section 6, "United States Senators and Representatives."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 6, "United States Senators and Representatives," on line 8, be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 7?

MS. GRAHAM: Mr. President, I move the adoption of Section 7, "Agencies with Federally-Appointed Officers."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 7, "Agencies with Federally-Appointed Officers," be adopted. Discussion?

(No response.)

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PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 7 is adopted. Section 8

MS. GRAHAM: Mr. President, I move the adoption of Section 8, "Transfer of Matters to the Attorney General."

(The motion was duly seconded.)

PRESIDENT CASSELL: It is moved and seconded that Section 8, "Transfer of Matters to the Attorney General," be adopted. Discussion?

MR. LONG: Mr. President, I have a question.

PRESIDENT CASSELL: Delegate Long?

MR. LONG: I have a question on the language down toward the end there and whether it's correct. I thought we meant "a case," not "a category of cases."

PRESIDENT CASSELL: Repeat that.

MR. SCHRAG: Let's check the record.

MR. LONG: I thought the case was struck, not "category."

MS. GRAHAM: Wait just a minute.

MR. SCHRAG: My records show that this was left as it was, but it is not the authoritative record.

MR. LOVE: Here comes the authoritative record now.

PRESIDENT CASSELL: Mr. Secretary?

MS. GRAHAM: "To continue to handle any case or category of cases," I have in my notes.

PRESIDENT CASSELL: One moment, please.

MS. GRAHAM: All right.

(Pause.)

MR. COOPER: There was no change in the original draft.

PRESIDENT CASSELL: Delegate Graham?

MS. GRAHAM: I notice in the original draft that I have, it says "case of category of cases." We tried to make it a little more explicit by saying "case or category of cases," because we thought it should have been "or" there instead of "of."

PRESIDENT CASSELL: Well, you don't have that explicitly, do you?

MR. LONG: I request that the transcript be looked at. My records show that "case or" was struck, "any" was struck later on in the line, and "case" was pluralized.



MR. COOPER: That failed. That was an amendment and it failed.

MR. LONG: It failed?

MR. COOPER: Yes.

MR. LONG: Just check the transcripts.

MS. GRAHAM: Mr. President, what we will do is clear this out before we come back with third readings.

PRESIDENT CASSELL: The secretary has indicated that that motion was made and it did fail.

Further questions on Section 8?

(No response.)

PRESIDENT CASSELL: There being none, those in favor of Section 8, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 8 is adopted. Section 9?

MS. GRAHAM: Mr. President, I move the adoption of Section 9, "Amendments Before the Constitution Enters into Force."

(The motion was duly seconded.)

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PRESIDENT CASSELL: It is moved and seconded that Section 9, "Amendments Before the Constitution Enters into Force," be adopted. Discussion?

(No response.)

PRESIDENT CASSELL: Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(There was one "nay.")

PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: Section 9 is adopted. Delegate Graham?

MS. GRAHAM: Mr. President, I move the adoption of this entire section, "Transition."

PRESIDENT CASSELL: Second?

(The motion was duly seconded.)

PRESIDENT CASSELL: It has been moved and seconded that this subsection on transition be adopted. Those in favor, indicate by saying aye.

(A chorus of "ayes.")

PRESIDENT CASSELL: Opposed?

(No response.)

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PRESIDENT CASSELL: Abstain?

(No response.)

PRESIDENT CASSELL: "Transition" is adopted.

(Pause.)

PRESIDENT CASSELL: Ladies and gentlemen, first of all, we've made excellent headway tonight. I can't remember -- how many articles did we have second reading on, Chestie? How many did we do tonight, Chestie?

MS. GRAHAM: We must have done, Mr. President -- we did Legislature, Finance.

MR. KAMENY: We have three left, including Rights.

PRESIDENT CASSELL: Ladies and gentlemen, we have made such excellent progress tonight that we have run out of articles to read. I must say to you that we have really pushed our word processor in trying to get ready for Education, and I think we kind of wore him out. So, I'm expressing the eternal gratitude of the convention and telling him to go home tonight and to come back first thing tomorrow.

We will meet tomorrow at six o'clock, and at six o'clock we will deal first with Education, which we don't think is going to take much time. Then we'll do the second reading of Rights.

MS. GRAHAM: And then Initiative and Referendum.

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PRESIDENT CASSELL: And then we'll do the third reading of Initiative and Referendum.

MS. LOCKRIDGE: Am I to understand, Mr. Chair, that Education is number one on the agenda?

MR. LONG: Yes.

MS. MAGUIRE: Yes, yes, yes.

MS. LOCKRIDGE: Thank you. Make sure the Chair knows that.

MR. LONG: It is number one.

MS. LOCKRIDGE: Education is number one on the agenda tomorrow. Is that agreed?

PRESIDENT CASSELL: I thought I made that very clear.

MS. LOCKRIDGE: Well, I apologize.

PRESIDENT CASSELL: I have bent over backwards tonight to accommodate the committee, and I will do the same thing tomorrow.

MS. LOCKRIDGE: I certainly appreciate it.

PRESIDENT CASSELL: I apologize profusely for not being able to get you on tonight.

MS. LOCKRIDGE: Thank you, sir.

PRESIDENT CASSELL: Thank you very much.

MR. ROBINSON: Question.

PRESIDENT CASSELL: Six o'clock tomorrow, sharp, and

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I need your promise in blood that you'll all be here at six o'clock. I want to start tomorrow at six o'clock.

MS. LOCKRIDGE: Will you be here?

PRESIDENT CASSELL: Delegate Robinson?

MR. ROBINSON: I only wanted to know if you are still targeting an all-day meeting or part of the day on Friday.

PRESIDENT CASSELL: All day.

MR. ROBINSON: All day?

PRESIDENT CASSELL: All day on Friday. Delegate Maguire?

MS. MAGUIRE: I just wanted to say --

PRESIDENT CASSELL: Delegate Maguire has the floor.

MS. MAGUIRE: I wanted to personally thank and commend the Committee on Style and Drafting for bailing this convention out.

(Applause.)

PRESIDENT CASSELL: Delegate Moore?

MR. B. MOORE: What is there to do on Friday?

PRESIDENT CASSELL: Well, we have third readings for ten articles, and Friday has been reserved for that, though it's possible we'll finish tomorrow. Tomorrow is Thursday. All day tomorrow is for Style and Drafting. When we meet at six o'clock, it may be unnecessary to meet on Friday. I can't

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believe that. I don't know how we got here that fast.

MR. KAMENY: If we worked like this in all of this convention, we'd have three weeks left over.

PRESIDENT CASSELL: Delegate Barnes?

MR. BARNES: Yes. I'd like to add another item on the agenda.

PRESIDENT CASSELL: Yes?

MR. BARNES: I would like to briefly discuss the state name tomorrow night.

MR. KAMENY: Yes, that has to be settled.

PRESIDENT CASSELL: All right. We have, first, Education, and then the second reading of Rights, and then the name of the state.

MR. KAMENY: We have three second readings all together. Why don't we do those tomorrow and get them out of the way, then the state name?

PRESIDENT CASSELL: Let me remind all delegates that we are recessed until tomorrow at six o'clock -- six o'clock, sharp. Style and Drafting can meet all night tonight and all day tomorrow until six o'clock, when you must be here.

(Whereupon, at 9:19 p.m., the Convention was adjourned.)